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7 MARTHA VALENTINE, et al.,  
8 Plaintiffs,  
9 v.  
10 CROCS, INC.,  
11 Defendant.

Case No. [22-cv-07463-TLT](#)

**ORDER GRANTING MOTION TO  
RELATE**

Re: Dkt. No. 168

Related Case: *Mongalo, et al v. Crocs, Inc.*,  
No. 3:24-cv-09037-VC

12 On August 5, 2024, Jacqueline Mongalo, Chelsea Garland, Melissa Harmon, and Philip  
13 Werner filed a motion to intervene. ECF 107. Intervenors attempted to intervene after they read  
14 Defendant's opposition to Plaintiffs' motion to certify class and felt that the Court may deny  
15 Plaintiffs' motion to certify class. ECF 126, at 5. The Court denied the Intervenors' motion with  
16 prejudice, finding the intervention to be untimely and result in prejudice to the parties. *Id.* at 8.

17 On October 16, 2024, the Court denied Plaintiffs' motion for class certification. ECF 150.  
18 Subsequently, Plaintiffs filed a petition with the Ninth Circuit pursuant to Rule 23(f) of the  
19 Federal Rule of Civil Procedure requesting permission to appeal the order. *See Cornejo et al. v.*  
20 *Crocs, Inc.*, Case No. 24-6645, Dkt. Nos. 1 & 2 (9th Cir. Oct. 30, 2024). The petition remains  
21 pending. The Court granted Plaintiffs' motion to stay proceedings pending resolution of the  
22 petition. ECF 166. The stay will be lifted on February 3, 2025. *Id.*

23 While this case remained stayed, on December 13, 2024, Plaintiffs' counsel filed a second  
24 case captioned *Mongalo, et al v. Crocs, Inc.*, No. 3:24-cv-09037-VC. *Mongalo* alleges  
25 substantially similar transactions and events involving identical questions of law and fact and the  
26 same conduct by the same Defendant. Further, the *Mongalo* Plaintiffs—Jacqueline Mongalo,  
27 Chelsea Garland, Melissa Harmon, and Philip Werner—are the same individuals as the Intervenors  
28 this Court previously denied the right to intervene with prejudice.

1 Pending before the Court is Plaintiffs' motion to relate the cases pursuant to local rules 3-  
2 12(a) and 7-11. ECF 168. Defendant did not file an opposition. The Court finds that the earlier-  
3 filed case of *Valentine v. Crocs, Inc.*, No. 3:22-cv-07463, and the later filed case, *Jacqueline*  
4 *Mongalo v. Crocs, Inc.*, No. 3:24-cv-09037-VC are related. The Court **GRANTS** Plaintiff's  
5 motion to relate.

6 Because the Court denied motion for class certification, the *Mongalo* plaintiffs will  
7 proceed with Plaintiff Ruby Cornejo on an individual basis rather than a class basis. Upon the  
8 stay lifting, the Court will reassess whether it retains subject matter jurisdiction.

9 This Order resolves ECF 168.

10 **IT IS SO ORDERED.**

11 Dated: January 16, 2025



12 TRINA L. THOMPSON  
13 United States District Judge